

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

LYNN D'AVANZO,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:12-CV-655-TAV-HBG
)	
COPPER CELLAR CORPORATION,)	
)	
Defendant.)	

ORDER

This civil matter is before the Court on the Report and Recommendation entered by United States Magistrate H. Bruce Guyton, on May 20, 2015 (the "R&R") [Doc. 91]. In the R&R, Magistrate Judge Guyton recommends that plaintiff's objections to the bill of costs be granted in part. In particular, the magistrate judge recommends that: (1) defendant's request for costs shall be awarded, but limited to the amount of \$4,244.80, and (2) the clerk be directed to hold this matter in abeyance pending the Appeal to the Sixth Circuit Court of Appeals.

The Court stayed the matter of costs pending completion of the appellate process [Doc. 87]. On July 29, 2016, the Court issued an order lifting the stay because the appellate process was complete [Doc. 95]. The Court also ordered the parties to file any objections to the R&R [Doc. 91] within fourteen days of the entry of the July 29, 2016, order [Doc. 95]. There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.

After a careful review of the matter, the Court is in agreement with Magistrate Judge Guyton's recommendations, which the Court adopts and incorporates into its ruling. However, because the appellate process is complete, there is no longer a need to hold this matter in abeyance. The Court **ACCEPTS IN PART** the R&R [Doc. 91]. The Court hereby **GRANTS IN PART AND DENIES IN PART** Plaintiff's Objections to Bill of Cost [Doc. 86]. Defendant's request for costs shall be awarded, but limited to the amount of **\$4,244.80**.

IT IS SO ORDERED.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE